



# Austin City Council MINUTES

AUGUST 8, 1991 - 1:00 P.M.

## MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the absence of Mayor Pro Tem Urdy.

1. Approved Minutes for Regular Meeting of August 1, 1991, with an addition by Councilmember Epstein, and Special Meeting of July 31, 1991.

On Councilmember Epstein's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent.

## 1:00 P.M. - CITIZEN COMMUNICATIONS

2. Ms. Lillian Ann Colvin, discussed the proposed but not yet funded medical clinic in the St. Johns area.
3. Mr. Eric Bodenschatz announced a workshop on preservation planning in conjunction with the Hyde Park Neighborhood Combining District.
4. Mr. Ben Heimsath reported on Hyde Park centennial activities and presented a check from the neighborhood to Mary Collins Blackman, Curator of the Elisabeth Ney Museum and Mayor Todd.
5. Mr. Gavino Fernandez discussed establishing a "whistle blower" ordinance to protect City employees from harassment, dismissal, demotion, transfer, intimidation and any punishment by a City official when appearing before Council on neighborhood issues and concerns.
6. Mr. Thomas Serrato discussed City business.
7. Mr. Frank Martinez to discuss cleaning of East 1st - Austin Baptist Chapel, was not present.
8. Ms. Frances Martinez discussed cleaning of East 1st - Austin Baptist Chapel.
9. Mr. Felix Rosales discussed the Austin airport.

## ORDINANCES

10. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 611 Nelray Boulevard, Case No. C14-90-0071, from SF-3, Family Residence to MF-3 Multi-Family Residence, COURTNEY BAKER, by Robert Baker. First reading on January 31, 1991; Vote 5-0, Mayor Pro Tem Urdy out of room and Councilmember Smoot Carl-Mitchell absent. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council.

On Councilmember Reynolds' motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro tem Urdy absent.

11. Approved issuance by Southwest Travis County Municipal Utility District No. 1 of District Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds, Series 1991, in an amount not to exceed \$1,050,000; approving the terms, conditions and covenants of the Bond Resolution and Preliminary Official Statement.

On Councilmember Reynolds' motion, Councilmember Garcia's second, 5-1-0 Vote, Mayor Pro Tem Urdy absent, Councilmember Epstein abstained.

## RESOLUTIONS

12. Approved execution of a contract award with COLORADO MATERIALS, San Marcos, Texas, for a twelve (12) month supply agreement for 2,553 tons of asphalt paving material, in an amount not to exceed \$64,888.75, including the option to extend the contract for two (2) additional twelve (12) month periods in an amount not to exceed \$64,888.75, for a total amount not to exceed \$194,666.25. (Funding in the amount of \$16,222.19 included in the 1990-91 Operating Budget of the Water and Wastewater Department; the remaining \$48,666.56 included in the 1991-92 Operating Budget of the Water and Wastewater Department). Low bid of four (4). OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910661-1MN.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent.

13. Approved execution of a twelve (12) month contract with BRYANT DRILLING & FOUNDATIONS, Austin, Texas, for vacant lot clearance, in an amount not to exceed \$87,817, including an option to extend the contract for three (3) twelve (12) month periods, in an estimated amount of \$87,817 per extension, for a total estimated amount of \$351,268. (Funding in the amount of \$14,636 included in the 1990-91 Operating Budget of the Health and Human Services Department; the remaining \$73,181 is included in the 1991-92 Operating Budget of the

Health and Human Services Department.) Low bid of eight (8). 0% M/WBE Subcontractor participation. Reference No. 910515-3SA.

Approved and instructed the City Manager to look at opportunities for bidding this contract to allow for M/WBE participation at the end of the first year, on Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent.

14. Approved execution of a construction contract award to J.C. EVANS CONSTRUCTION, INC., Austin, Texas, for the Centennial Park wastewater improvements, Phase II, in the amount of \$676,874. (Funding included in C.I.P. No. 439-237-0761). Low bid of six (6). 2.84% MBE, 4.74% WBE Subcontractor participation.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 6-0 Vote, Mayor Pro Tem Urdy absent.

15. Approved a construction contract award to DAYCO CONSTRUCTION CO., Austin, Texas, for the off-site drainage improvements originating at U.S. 183 and terminating at Loop 1, in the amount of \$788,794. (Funding included in C.I.P. No. 825-607-2074). Low bid of six (6). 9.51% MBE, 9.42% WBE Subcontractor participation.

On Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy absent.

16. Approved execution of a contract with HUSKY COMPUTERS, INC., Clearwater, Florida, for the purchase of an Electronic Meter and Data Collection System consisting of hand-held microcomputers, recharging cradles, software, and maintenance for Utility Customer Service, in an amount not to exceed \$293,906, including the option to extend maintenance for four (4) twelve (12) month periods, in an amount not to exceed \$32,185 per extension, for a total amount not to exceed \$422,646. (Funding included in the 1990-91 Operating Budget of the Financial Services Department). Best proposal of four (4). 0% M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910597-3LI.

On Councilmember Larson's motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Urdy absent, Councilmember Garcia out of the room.

17. Approved an increase of \$171,350 to the approved Interlocal Agreement with Travis County for construction of an additional 1,327 feet of 8 inch and 200 feet of 12 inch water lines and associated appurtenances for the Dessau Road Water Utility Relocation Phase I project currently under construction in conjunction with Travis County's Dessau Road Capital Improvement Project. (Funding available in Water Utility C.I.P. No. 388-227-0990).

18. Approved an Agreement with the State Department of Highways and Public Transportation for offsite drainage improvements at Spicewood Springs Road and U.S. 183, in the amount of \$140,750. (Funding included from U.S. Hwy 183 C.I.P. No. 825-607-2074.
19. Approved payment to the Lower Colorado River Authority (LCRA) for relocation of electrical lines for the expansion of U.S. Hwy. 183 at Braker Lane, in the amount of \$127,014. (Funding included in C.I.P. No. 825-607-2074)
20. Approved the renewal of a five (5) year lease of 36,981 sq. ft. of office and warehouse space at 211 Alpine Street from Bear Creek Properties, Ltd., for use as records storage and central store distribution, in the amount of \$28,845 for the remainder of FY 1990-91 and \$137,569.32 for FY 1991-92. (Funding for FY 1990-91 in the amount of \$28,845 is included in the Operating Budget of the General Services Department; funding for FY 1991-92 in the amount of \$39,219.96 is included in the Operating budget of the Financial Services Department and \$98,349.36 from the Library Department.)

#17-20 on Councilmember Garcia's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy absent.

21. Set a public hearing for a Special Exception to provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance #910221-E, for the Storm 290 Subdivision (C8-86-040). Date and time: August 29, 1991 at 4:30 p.m.
22. Set a public hearing for a Special Exception to provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance #910221-E, for the John Phillip's Tract (Westfield Center Subdivision). Date and time: August 29, 1991 at 5:00 p.m.)

#21-22 on Councilmember Larson's motion, Councilmember Epstein's second, 6-0 Vote, Mayor Pro Tem Urdy absent.

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

##### ZONING DISTRICTS

23. C14-91-0015 - JOSIE CHAMPION, by Planning Consultants, 5619-5719 F.M. 2222. From SF-2 to GR for Tract D1 and RR for Tract D2. Planning Commission Recommendation: To deny the requested zoning.

Sent back to Planning Commission.

##### ITEMS FROM COUNCIL

24. Approve an Ordinance amending Ordinance No. 900913-D by appropriating \$34,070 from the General Fund Contingency Reserve to the Health and Human Services Department Social Services Contingency Fund to fund youth and family support services. (Councilmembers Bob

Larson and Gus Garcia) [Related to Item 25]

Postponed to August 15, 1991.

25. Approve an amendment with the contract with South Austin Youth Services for youth and family support services, in an amount not to exceed \$34,070. (Councilmembers Bob Larson and Gus Garcia) [Related to Item 24]

Postponed to August 15, 1991.

**EXECUTIVE SESSION** (No Public Discussion on These Items)

Mayor Todd announced that Council would go into Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision, or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

26. Pending/Contemplated Litigation - Section 2, Paragraph e

City of Austin v. EACEDC (East Austin Chicano Economic Development Corporation), Cause 383-839.

27. Discussion of Defenders of Wildlife, Friends of Animals and their Environment, et al v. Manuel Lujan.

**ACTION ON THE FOLLOWING**

28. Authorized the filing of friend of the court brief urging the Supreme Court to uphold the United States Court of Appeals, Eighth Circuit, Defenders of Wildlife, Friends of Animals and their Environment, et al v. Manuel Lujan.

**SPEAKERS AT END OF MEETING - Brudge Hopkins, Thomas, Henry Ratliff and Ed Ducak.**

**ADJOURN**

The meeting was adjourned at 3:10 P.M.